REMARKS

Reconsideration is requested in view of the following remarks. Claims 1 and 3-9 remain pending in the application.

Claim Rejections – 35 USC § 103

Claims 1, 3-6, 8 and 9 are rejected under 35 USC 103(a) as being unpatentable over Kondo et al. (JP 2003-316292) in view of Hayashi et al. (US Pub. 2004/0065877). Applicants respectfully traverse this rejection.

Claim 1 requires a thin film transistor unit and a display element unit that are laminated on a substrate in this order. That is, the thin film transistor unit is positioned between the display element unit and the substrate. As a result, the thin film transistor is covered by the display element unit such that the distance that gas and moisture have to travel to reach an active layer of the transistor unit from outside advantageously has been increased, without increasing the number of constituent members of the display apparatus. This effectively suppresses the permeation of gas and moisture from the atmosphere into the thin film transistor unit and avoids deterioration of the physical property of the thin film transistor unit, thus helping to extend the life of the display apparatus (see e.g., page 3, lines 23-27 and page 10, lines 13-20 of the specification, among other places).

Claim 1 also requires that a pixel electrode have an area larger than that of a source electrode so as to cover an active layer of the thin film transistor substantially entirely. For example, as shown in the embodiment in Figs. 1A and 1B and in particular Fig. 1B, a pixel electrode 15 (defined by the larger square in solid line referred to by reference numeral 15 in Fig. 1B) has an area larger than the area of a source electrode 12 (defined by the smaller square in dash line referred to by reference numeral 12 in Fig. 1B) so as to cover an active layer 13 of the thin film transistor 10 substantially entirely. Because the active layer is covered substantially entirely by the pixel electrode, the gas and moisture in the atmosphere effectively are prevented from permeating into the thin film transistor, which likewise helps extend the life of the display apparatus (see, e.g., page 10, lines 13-20 and Table 1 of the specification, among other places).

Kondo et al. fail to teach or suggest a thin film transistor unit and a display element unit that are laminated on a substrate in this order, as required by claim 1. Instead, in Kondo et al. a display device including a display element unit (including an electrode 7, an organic EL material layer 8 and a pixel electrode 1) that is between a thin film transistor unit (including a source electrode 1, an active layer 2, a gate electrode 4 and a drain electrode 3) and a substrate 6 (see Kondo et al., paragraph [0020] and Figs. 2, 3(a)-3(c)). The order in which the thin film transistor unit, the display element unit and the substrate 6 are positioned in Kondo et al. is clearly different from the order required by claim 1.

Moreover, it would not have been obvious to modify Kondo et al. in the manner suggested by the rejection. The mere fact that references can be modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination (see MPEP §2143.01 III). Nothing in the present record suggests that a reversal order of the thin film transistor unit and the display element unit of Kondo et al. should be used, much less any reason to expect the advantages that are enjoyed by the present invention could be achieved.

Further, Hayashi et al. also fail to teach or suggest that a pixel electrode has an area larger than that of a source electrode so as to cover an active layer of the thin film transistor substantially entirely as required by claim 1. Fig. 48 of Hayashi et al. merely illustrates a lower electrode 203 having one end in contact with a drain electrode 200 (see Hayashi et al., Fig. 48 and paragraph [0179]). Hayashi et al. also discuss a channel region 194, which acts as an active layer in the embodiment of Fig. 48. However, Fig. 48 in no way teaches or suggests that the lower electrode 203 covers the channel region 194, much less covering the channel region 194 substantially entirely.

For at least these reasons, claim 1 is patentable over Kondo et al. in view of Hayashi et al. Claims 3-6 and 8-9 depend from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claim 7 is rejected under 35 USC 103(a) as being unpatentable over Kondo et al. in view of Hayashi et al. and further in view of Young (US Pub. 2002/0139981). Applicants respectfully traverse this rejection. Claim 7 depends from claim 1 and is patentable over Kondo et al. in view of Hayashi et al. and further in view of Young for at least the same reasons discussed above regarding claims 1, 3-6, 8 and 9. Young does not remedy the deficiencies of Kondo et al. in view of Hayashi et al. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claim.

In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612) 455-3804.

Respectfully submitted,

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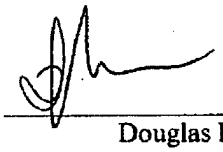
Dated: April 17, 2009

By: 

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